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## Jamaica & Dep

### Trade Policy Monitoring

### Amendments

### 2006

**Approved by:**

Jamie Rothschild  
U.S. Embassy, Santo Domingo

**Prepared by:**

Sylburn Thomas

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**Report Highlights:**

The Jamaica Bureau of Standards, the agency with judicial responsibility to implement the Standards Act, has been enforcing a zero-tolerance to violations of certain provisions of the act, particularly "country of origin" and "date representation" requirements. U.S. exporters are encouraged to comply with these regulations. Importers have been allowed to label in country, however, this has decreased the competitiveness of U.S. high value product exports.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
Kingston [JM1]  
[JM]

## Overview

The Jamaica Bureau of Standards (JBS), the state agency with judicial responsibility to implement the country's Standards, Weights and Measurements, and Processed Foods Acts, has recently intensified its efforts to enforce certain provisions of those acts. Of particular importance to U.S. exporters, is the Bureau's enforcement of "country of origin" and "date representation" requirements.

Presently, Jamaican importers (of U.S. products) that are in violation of the requirement/s are allowed to pay a fine of JMD 27,000 (about USD 450) per consignment to the JBS and, at their own expense, label the products in accordance with the regulations before retail distribution. Importers that are (at the discretion of the JBS) classified as repeat offenders can be denied from clearing "inappropriately" labeled products at the port of entry. In that case, the products are re-exported to the port of origin at the expense of the importer and or exporter. During January 2006, one consignment of poultry products was re-exported to the U.S. due to noncompliance of the "country of origin" requirement. We understand that JBS remains resolute in tightening its hold on repeat offenders.

It is the general belief of importers that the Bureau's action is not discriminating against U.S. products since the regulations are being enforced across the board. However, the noted differences between the U.S. labeling regulations, and those that exist in other territories, mainly the European Union and Latin America & the Caribbean, continue to attract increased monitoring from the Bureau. According to one large importer, other countries, including France, UK, Canada, Spain, Mexico, and CARICOM countries are complying with the regulations.

Specifically, the Jamaican authorities are requiring the label to state "Made in U.S.A." If the product is meat or poultry, a USDA/FSIS certificate is not sufficient. The date must be stated as dd/mm/yy or spelled out. Please see the text of the regulations below for more details.

The text of the regulations follows:

### a. **Country of Origin Requirement**

Each package of prepackaged goods shall be labeled with, *inter alia*:

The name and identifiable business address of the processor, manufacturer, packer, importer or distributor and the country of origin.

The address shall consist of the name of the place where the principal office of the business is located and the name of the country of origin. The name and address of the importer shall also be included on the label.

The name and address of the manufacturer shall be the name and street address of the registered place of business of the manufacturer, packer, or distributor of the products. It shall be preceded by the words "Manufactured by...," "Packed by...," "Distributed by..." as applicable.

The country of origin shall be prominently and clearly stated as "Product of..." with the blank to be filled in accordingly.

Labels of imported goods may bear the words "Imported by... followed by the name of the importer or sole distributor or person responsible for the importation, together with the street address of the principal place of business in Jamaica of such person.

The country of origin is the country where the nature or quality of the goods was last changed to a significant extent, other than by packaging.

**b. Date Mark Requirement**

Each package of prepackaged goods shall be labeled with, *inter alia*:

A datemark or date of minimum durability, where an indication of the age of the goods is likely to be useful to the consumer or purchaser.

Where goods are liable to deteriorate within a period of 6 months after the date of manufacture or packaging so that the quality, safety, hygiene or other desirable characteristic is not likely to be maintained, a date mark shall be placed on the goods, on the label or on the package, and on any bulk container or shipping container. Such a date mark shall not be defaced or removed from the goods or from the label.

Where it is appropriate that the date of minimum durability shall be given, it may be indicated by the words "best used before" followed by the date, or "not guaranteed after" followed by the date.

Each individual unit of the prepackaged products shall contain a date of manufacture and date of expiry.

The Bureau of Standards does not recognize the United States' conventional "mm/dd/yy"; the Julian (day-of-year, year or year, day-of-year), or other coded date formats for the purpose of trade and commerce in Jamaica. Manufactured, expiry and other date marks must conform to the traditional European "dd/mm/yy", the ISO's "yy/mm/dd" or full (January 31, 2006) or partial (Jan. 31, 06) text.

**c. Other Requirements**

The following regulations are, at present, not an obstacle to U.S. exports. However, U.S. exporters are encouraged to be familiar and comply with them.

Each package of prepackaged goods shall be labeled with, *inter alia*:

**I. Unit of Measure**

Jamaican laws prescribed the International System (of units) as the official system of measurements for the purpose of trade and commerce. All units of measure should comply accordingly. Where dual measurements are used, the Imperial unit must be enclosed in parentheses, indicating its subordination to the SI (metric) measure.

**II. Net Content**

The net content shall be stated in terms of "net", "net content", "net weight", followed by an accurate declaration of the quantity of product contained in the package.

It shall be expressed in terms of:

Fluid measure (liter, milliliter, etc) if the products is a liquid or weight (g, kg, etc) if the commodity is a solid, semi-solid, viscous, or mixture of solid and liquid; numerical count,

measure or a combination of numerical count, weight, size or measure; or any firmly established general usage or trade customs.

The statement shall appear on the principal display panel in the lower third of the label and in lines generally to the base on which the package rests.

The "net content" shall be in a type size not less than that specified below.

Area of Principal display panel (in <sup>2</sup> )	Minimum height of letter (Taken as the lower case "o")
Less than or equal to 5	1/1.6
> 5 but < 25	1/8
Equal to or > 25 but < 100	3/16
Equal to or > 100 but < 400	¼
Equal to or > 400	1/2

### III. ***Multiunit packages***

Where the individual units of a multiunit package are intended for individual retail sale, separate from the multiunit package, each unit shall be labeled in accordance with the Jamaica standard.

Where the multiunit package is intended for retail sale as a unit, the label of the unit package shall show: the number of products or units, the common name of each products or unit, the quantity of each individual unit, the total quantity of the contents of the multiunit package. Where such grades are sold in trade by weight the above information shall be represented by the net weight of the total quantity of the contents of each individual unit.

Where prepackaged goods are sold as one unit, but consist of two or more unpackaged products, the unit label shall bear the information as required by the labeling standard. Combination packages (a package for retail sale containing two or more individual packages of units of dissimilar commodities) and variety packages (containing two or more individual packages or units of similar but not identical commodities) must comply with the requirements for multiunit packages.